

Notice of Allowability

Application No.

10/750,129

Examiner

Jean A. Gelin

Applicant(s)

FISHER, XIAOCHUN XU

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/31/06.
2. ☒ The allowed claim(s) is/are 1-29.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received. .
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. This is in response to the Applicant's arguments and Terminal Disclaimer filed on March 31, 2006 in which claims 1-29 are currently pending.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jeff Glabicki (Reg. No. 42584) on April 24, 2006.

3. The application has been amended as follows:

Claim 3, line 1, after "wherein the processing" please insert -- the request message --

Allowable Subject Matter

4. After a further search and thorough examination of the present application and in view of the applicant's arguments and Terminal Disclaimer, claims 1-29 are found to be in condition of allowance.

5. The following is an examiner's statement of reasons for allowance: the cited prior arts teach the fast dynamic channel allocation call admission control functions are responsible for efficiently allocating or changing the allocations of physical resources and interference level, but it is difficult to be reused by other

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RRM functions since the main interface function is large and the inputs to the code allocation are dependent on the signal message.

On the other hand, the Applicant teaches a fast dynamic channel allocation call admission control algorithm comprising the steps of: a signal-independent code allocation process, including: checking the availability of a code set in the cell; generating timeslot sequences for the available timeslots; assigning a code set to the available timeslots in a timeslot sequence, wherein a successful assignment is a solution; calculating the interference signal code power (ISCP) for each solution; and selecting the solution having the lowest weighted ISCP as an optimal solution; and a post-code allocation process. These limitations, in conjunction with all limitations of the independent claims, have not been disclosed, taught, or made obvious over the prior art of record.

The Applicant further teaches retrieving a list of available timeslots and a list of code sets from the centralized database; retrieving data rates for CCTrCHs from the centralized database; allocating the code sets to the available timeslots in the new cell; storing the new radio link information and allocation information in the centralized database; and creating a response message with the results of the code allocation process. These limitations, in conjunction with all limitations of the independent claims, have not been disclosed, taught, or made obvious over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should

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preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Eibling et al.	US 6,487,415 B1	11/26/2002
Bradd	US 2003/0123388	07/03/2005
Karlsson	US 2005/0148337	07/07/2005

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean A. Gelin whose telephone number is (571) 272-7842. The examiner can normally be reached on 9:30 AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Banks-Harold Marsha can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JEAN GELIN
PRIMARY EXAMINER

JGelin
April 25, 2006

A handwritten signature in cursive script that reads "jean Alhand Gelin". The signature is written in black ink and is positioned below the printed name and title.